



## Fact Sheet

# Technical Service Provider Assistance Producer Information

---

USDA Natural Resources Conservation Service

June 2005

---

The 1985 Farm Bill first authorized use of technical service providers (TSPs), while the 2002 Farm Bill included additional language which requires the Department of Agriculture (USDA) to provide technical assistance through many conservation programs to a producer eligible for that assistance "directly ... or at the option of the producer, through a payment ... to the producer for an approved third party [TSP], if available." This fact sheet will help you, the producer, benefit from this assistance.

### Why does the technical service provider process exist?

The public's interest in, and the government's financial commitment to conservation have reached historic levels. NRCS and our locally-led partners are committed to delivering services quickly and efficiently, without hiring additional staff. NRCS aspires to fulfill this commitment by engaging a new workforce of certified professionals from the private sector, non-profit organizations, and public agencies.

### Who are TSPs and what may they do?

TSPs are individuals qualified to provide technical assistance on behalf of USDA. The Natural Resources Conservation Service (NRCS), a USDA agency, manages this effort. Technical assistance includes conservation planning, design, installation, and checkout of approved conservation practices. USDA will defray some or all of your costs if you select a private consultant or public agency from the list of certified TSPs and the technical services provided meet all legal, programmatic, and technical requirements.

### Why would a producer elect to obtain service from a TSP?

The wait for technical assistance from NRCS, due to prior commitments and workloads, may take longer than you would prefer. Using a certified TSP provides

producers with greater flexibility. With numerous TSPs available, you should get the technical assistance you need when you need it.

### What assurances do I have that a TSP would perform to my standards and those of NRCS?

To ensure high quality assistance, TSPs available for your selection must qualify for certification based on their education, experience, and other credentials deemed necessary by NRCS to adequately practice in their areas of expertise.

TSPs have signed a certification agreement attesting to the validity of their credentials and application. The agreement assigns responsibility for their work to the TSP and requires the TSPs' work meet NRCS standards. NRCS will conduct regular, random, reviews of the technical services performed by TSPs to assess quality and integrity. Poor performance or record falsification may result in decertification. The certification agreement appears on the TechReg Web site (<http://techreg.usda.gov>). Look for the section titled "In the Spotlight" and then click on "View the Technical Service Provider Certification Agreement."

### How do I obtain technical assistance from a TSP?

Producers who wish to use a TSP and receive payment from NRCS must hold a program contract. After you indicate your interest in using a TSP, you and NRCS will modify your program contract.

State conservationists have the option to authorize the use of a TSP to deliver conservation planning for those without farm bill program contracts. If you do not have a program contract and would like a TSP to prepare a conservation plan to help you apply for a program contract, ask your District Conservationist if your state offers this service.

**Exhibit 610.100 Technical Service Provider Assistance Producer Fact Sheet**

You, the program participant, bear the responsibility to select, hire through your own contract, and pay the TSP. Your District Conservationist can provide you with a list of the certified TSPs by category for your county. You can also find the same information on the TechReg Web site (<http://techreg.usda.gov>) by clicking on “Find a Technical Service Provider” in the left column. You will find a resume for each TSP to assist you in your selection.

**How much will the services of a TSP cost me?**

Depending on the work planned, the services of a TSP may cost you nothing. The modification to your program contract will include the maximum amount NRCS will pay you, given a scope of services, extents for the practices involved, and location for the work. NRCS has termed these amounts “Not to Exceed” (NTE) rates. NTE rates, based on NRCS’ costs for completing the same tasks, get updated annually on October 1. Should the scope of services cost less than the computed NTE rate, NRCS’ payment to you will equal the invoiced amount. If the work costs more, you must cover the additional costs. Preview the NTE rates applicable to your location and needs on the TechReg Web site (<http://techreg.usda.gov>). Look for the link in the section titled “In the Spotlight.”

**How will I receive payment for the technical assistance provided by a TSP?**

You must submit documentation of the work completed, evidence that the work was reported into NRCS’s progress reporting system, and an invoice in accordance with your program contract modification.

NRCS may make a payment directly to your TSP if you complete an assignment of payment request. Your local District Conservationist should have copies of this form.

NRCS will make payment within thirty days of receiving a complete payment request package. Electronic payments take less time than preparing a paper check.

**Who is responsible if something goes wrong, or the assistance provided is inadequate?**

In accordance with their certification agreement, TSPs assume all legal responsibility for the technical services they provide, including any costs, damages, claims, liabilities, and judgments arising from past, present and future negligent or wrongful acts or omissions in connection with technical services provided. Conservation practices that failed due to no fault of the program participant or the TSP would be eligible for reapplication in accordance with the applicable USDA program.

Although program participants bear the responsibility for obtaining all approvals, authorities, rights, permits, and easements necessary for implementation, operation, and maintenance of the conservation practice prior to installation, TSPs typically work with the program participants to secure these items.

**How do I indicate that I want NRCS to take care of my technical service needs?**

The 2002 Farm Bill did not alter the process for acquiring technical assistance from the Department. Participants should start by contacting their local USDA Service Center. The District Conservationist will schedule the technical assistance in accordance with the district’s current commitments and workload. Where current commitments and workloads preclude timely delivery of technical assistance, the NRCS State Conservationist may procure services from TSPs through a contract or agreement. If this occurs, you will not enter into a contractual relationship with a TSP. NRCS will coordinate access to your records, land, and facilities through you.

For more information on the technical service provider process, please contact your local USDA Service Center.

The United States Department of Agriculture (USDA) prohibits discrimination in its programs on the basis of race, color, national origin, sex, religion, age, disability, political beliefs, sexual orientation, or marital or family status. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA’s TARGET Center at 202-720-2600 (voice and TDD).

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326W, Whitten Building, 14<sup>th</sup> and Independence Avenue, SW, Washington, DC 20250-9410 or call (202) 720-5974 (voice and TDD). USDA is an equal opportunity provider and employer.